

**THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

MICHAEL ALF, et al.,	)	Case No. 2:21-cv-02542-MHW-EPD
	)	
Plaintiffs,	)	Judge Michael H. Watson
	)	
v.	)	Chief Magistrate Judge Elizabeth P.
	)	Deavers
THE OHIO STATE UNIVERSITY,	)	
	)	
Defendant.	)	
	)	

---

**DEFENDANT-APPELLEE THE OHIO STATE UNIVERSITY'S  
DESIGNATION OF TRANSCRIPTS FOR APPELLATE RECORD**

Pursuant to Rule 10(b)(3)(B) of the Federal Rules of Appellate Procedure, defendant-appellee The Ohio State University hereby designates, and requests that plaintiffs-appellants order, the following additional transcripts omitted from their transcript order on November 24, 2021, so that such transcripts may be included in the appellate record for the above-captioned appeal:

- 1) Transcript of January 17, 2019 Status Conference Proceedings, Doc. 52 in *Garrett et al. v. The Ohio State University*, S.D. Ohio Case No. 2:18-cv-00692 (the “Garrett Action”).
- 2) Transcript of May 24, 2019 Telephonic Status Conference Proceedings, Doc. 91 in the *Garrett Action*.
- 3) Transcript of May 17, 2019 Telephonic Status Conference Proceedings, Doc. 98 in the *Garrett Action*.
- 4) Transcript of May 21, 2019 Telephonic Status Conference Proceedings, Doc. 99 in the *Garrett Action*.
- 5) Transcript of May 13, 2021 Telephonic Status Conference Proceedings, Doc. 179 in the *Garrett Action*.

On May 19, 2021, the district court entered a Related Case Memorandum designating the underlying action for the above-captioned appeal as related to the *Garrett* Action. *See* Related Case Memorandum (Doc. 3). The same counsel representing the plaintiffs in the above-captioned appeal also represent the *Garrett* plaintiffs. Pursuant to Rule 10(b)(3)(C) of the Federal Rules of Appellate Procedure, “unless within 14 days after service of that designation the appellant has ordered all such parts, and has so notified the appellee, the appellee may within the following 14 days either order the parts or move in the district court for an order requiring the appellant to do so.”

Respectfully submitted,

DAVID A. YOST  
ATTORNEY GENERAL OF OHIO

By: /s/ Michael H. Carpenter  
Michael H. Carpenter (0015733) (Trial Attorney)  
Timothy R. Bricker (0061872)  
David J. Barthel (0079307)  
CARPENTER LIPPS AND LELAND LLP  
280 Plaza, Suite 1300  
280 North High Street  
Columbus, OH 43215  
Phone: (614) 365-4100  
Fax: (614) 365-9145  
E-mail:[carpenter@carpenterlipps.com](mailto:carpenter@carpenterlipps.com)  
[bricker@carpenterlipps.com](mailto:bricker@carpenterlipps.com)  
[barthel@carpenterlipps.com](mailto:barthel@carpenterlipps.com)

Special Counsel for Defendant-Appellee  
The Ohio State University

**CERTIFICATE OF SERVICE**

I certify that on November 24, 2021, a copy of the foregoing was uploaded to this Court's and the Sixth Circuit's CM/ECF systems, which will serve notice and a copy of the filing via electronic mail upon counsel for plaintiffs-appellants; and was electronically mailed to Court Reporter Lahana DuFour at Lahana\_DuFour@ohsd.uscourts.gov.

/s/ Michael H. Carpenter  
Trial Attorney for Defendant-Appellee  
The Ohio State University